

GOVERNMENT OF TELANGANA
ABSTRACT

Public Service –Tribal Welfare Department- Establishment–Budget Estimate 2014-15- Budget Release Order for Rs.9,00,000 – Administrative sanction towards meeting the expenditure for compensation amount - Orders –Issued.

TRIBAL WELFARE (SER.A1) DEPARTMENT

G.O.Rt.No.77

Dated 29.09.2014.
Read the following:-

1. From the CTW, Hyderabad Lr.Rc. No. C1/2366/2014, dated 01.07.2014
2. G.O.Rt.No.369, Finance (EBS-III) Department dated 27.08.2014.

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ORDER:

In the reference 1st read above, the Commissioner of Tribal Welfare, Telangana State Hyderabad has reported that the Project Officer, ITDA, Bhadrachalam has informed that Smt. Mulaka Sarada, W/o. M. Nageswara Rao, R/o. Manuguru of Khammam District has filed court case IA No.1584/2006, MVOP No.412/2006 and EP No.6/2013 in the Hon'ble Court of the Motor Accident Claims Tribunal 1st Addl. Dist. Judge at Khammam against M/s. Girijan Corporation Ltd. Waltair; Dist. Collector, Visakhapatnam for Compensation of claim in Motor accident case.

2. It is reported that Government (ITDA, Bhadrachalam) Jeep vehicle No. AP 31 M-1205 met with an accident while attending Prajapadham Programme by Sri M. Madhusudhan Rao, Project Horticulture Officer and Sri Sangam Nageswar Rao, Driver, ITDA Bhadrachalam, on 11th April, 2005 at 17.00 hrs at Palvancha of Khammam District and accidentally collided with the vehicle driven by Sri Mulaka Nageswar Rao, (Occ: Dumpman / Tripman in Singareni Collieries Co., Ltd. and died, and the case was registered by the Station House Officer, Palvancha CR.No.81/2005 by the Station House Officer, Palvancha against Sri Sangam Nageswar Rao, Driver, ITDA, Bhadrachalam. Smt. Mulaka Sarada, W/o M. Nageswara Rao, R/o. Manuguru has filed motor accident case IA No.1584/06, MVOP No.412/2006 in the Motor Vehicle Accident and Claims Tribunal in the Hon'ble 1st Addl. Dist., Judge at Khammam for compensation of Rs.15.00 Lakhs. The Hon'ble Court of II Addl. Judl. 1st Class Magistrate at Kothagudem pronounced Judgment on 27th Day of Feb, 2008 in the C.C.No.205 of 2006 [filed by the Station House Officer, Palvancha (Cr.No.81/2005) against Sri Sangam Nageswar Rao, Driver, ITDA, Bhadrachalam] as "*the prosecution has failed to bring home the guilt of the accused beyond reasonable doubt. In the result, accused is found not guilty for the offence U/s 304-A IPC and is acquitted U/sec 255 (1) of Cr.P.C His bail bands shall stand Cancelled*". Later the Decree passed in Court Case MVOP No.412 of 2006 in the Hon'ble Motor Accident Claims Tribunal (1st Addl. Dist. Judge) at Khammam on 15th Day of June, 2012 as "*awarding compensation of Rs.10,93,600-00 (Rupees Ten lakhs ninety three thousand six hundred only) together with proportionate costs and simple interest at 7.5% per annum from the date of the petition till the date of realization. The respondent No.3 (PO, ITDA, Bhadrachalam) is only liable to pay the compensation and respondent No.3 is directed to deposit the compensation amount within thirty days from the date of this order*".

3. The Project Officer, ITDA, Bhadrachalam has filed the Counter Affidavit in the Hon'ble AP High Court, Hyderabad MAC MA MP S.R.No.35671/2012 for stay orders in MATOP No.412/2006, after depositing the sum of Rs.25,000/- (Rupees Twenty five thousand only) in the Hon'ble Court at Khammam in the case MVOP No.412/2006, vide SBH DD No.240491, dt.22.09.2012 as evidencing deposit. The stay orders are awaited and later on delay condone petition was also filed the case was placed in the list vide MA No.278/14. The Project Officer, I.T.D.A., Bhadrachalam has submitted that the Hon'ble Court of the MACT 1st Addl. Dist. Judge at Khammam has issued notice to show cause why execution should not issued (Order 21, of Rule 22) in the EP 6/2013 in MATOP No.412/2006, filed by the petitioner against M/s Girijan Cooperative Corporation Limited, represented by the Chairman & Managing Director, Waltair and others and ITDA, Bhadrachalam represented by its Project Officer, ITDA, Bhadrachalam,

(Contd....2)

instructed to appear in the Court on 17.04.2014 on non implementation of Hon'ble Court orders passed i.e., Rs.10,93,600/- as a compensation with 7.5% interest from the date of filing the case, against the Project Officer, ITDA, Bhadrachalam in motor accident case) and instructed to deposit entire amount on or before 02.04.2014.

4. Smt. Mulaka Sarada & Others filed the EP No.6/2013 in MATOP No.412/2006 for attachment to the sum of Rs.17,20,391/- (Rupees Seventeen lakhs twenty thousand three hundred and ninety one only) to the ITDA, Bhadrachalam, and the case was posted on 17.04.2014.

5. On the above orders, the Project Officer, ITDA, Bhadrachalam has submitted appeal to the Govt. Pleader for Arbitration, in the Hon'ble AP High Court, Hyderabad for want of stay in this case, and Hon'ble High Court of AP has granted interim stay of execution of the order in MVOP No.412/2006 on the order of MACT-Cum-1 Additional District Judge, Khammam on condition that the petitioners i.e. Government of AP and ITDA Depositing half of the Compensation amount awarded with interest thereon and costs within (8) weeks.

6. The Project Officer, ITDA, Bhadrachalam has requested to release the initial amount of Rs.8,60,196-00 (Rs.17,20,391/-) (Rupees Eight lakhs sixty thousand one hundred and ninety six only), which was notified in the Interim Orders, before attending the Hon'ble court at Khammam on 02.04.2014, for avoiding the attachment of ITDA Properties, and the Commissioner of Tribal Welfare, Hyderabad has requested the Government to provide an amount of Rs. 9.00.000 (Rupees Nine Lakhs only) in relaxation of budget control orders as no head of Account is provided in B.E amount under the following Head of Account to avoiding the attachment of ITDA properties.

- "2225 - Welfare of SCs, STs and OBCs
- 02 - Welfare of STs
- MH 102 - Economic Development
- SH (04) - Economic Support Scheme.
- 500/501 - Compensation

7. In pursuance of the BRO issued in the reference 2nd read above, Government accord an administrative sanction to Commissioner of Tribal Welfare, Telanagana State, for amount of Rs.9,00,000/- (Rupees Nine Lakhs) under Non-Plan from the Budget Estimate provision 2014-15 towards meeting the expenditure to compensation amount to avoiding the attachment of ITDA properties under the following scheme, as additional funds in relaxation of Treasury Control and Quarterly Regulation orders subject to obtain supplementary Grants during the year 2014-15.

S. No.	Head of Account	Charged /voted	Provision in BE June, July, Aug & Sep-2014	Additional Amounts Sanctioned	Amounts Reappropriated	Total Provision in BE Jun, July, Aug, Sep-2014	Amount Already Authorized	Amount Authorised Now	Balance Amount Available
Scheme Name :Economic Support Schemes Procedure of Drawal of funds: Detailed Voucher Bill Drawing Officer: Concerned DDO Remarks:									
1	2225 - 02-102-00-04-500-501	V	..	9.00	..	9.00	..	9.00	..
Total			..	9.00	..	9.00	..	9.00	..

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8. The commissioner of Tribal Welfare is therefore requested to take necessary action accordingly. He is also requested to furnish the supplementary estimates during current year 2014-2015 at appropriate time for additional amount now sanctioned.

9. This order issues as per the instructions issued by the Finance (BG.1) Department in their U.O.Note.No.29875-A/1283/A1/BG.1/2006, dt 25.11.2006 and U.O.No.2424/73/A1/EBS.III/2014 dated 28.08.2014

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr.T.RADHA
PRINCIPAL SECRETARY TO GOVT. (TW) (FAC)**

To

The Commissioner of Tribal Welfare, Telangana State, Hyderabad.

The Project Officer, ITDA, Bhadrachalam, Khammam District.

The Director of Treasuries & Accounts, Telangana State, Hyderabad.

The Pay & Accounts Officer, Telangana State, Hyderabad.

The Accountant General, Andhra Pradesh, Hyderabad.

The Reins (Budget Computers), Telangana State, Secretariat, Hyderabad.

The Finance (BG) Department, Telangana State, Secretariat, Hyderabad.

Sc/Sf.

//FORWARDED:: BY ORDER//

SECTION OFFICER